

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Plaintiff,

V.

HARMAN INTERNATIONAL INDUSTRIES,
INCORPORATED,

Defendant.

Civil Action No. 05-10990-DPW

JOINT MOTION FOR AMENDMENT OF SCHEDULE AND FOR LEAVE TO FILE
MARKMAN BRIEFS EXCEEDING TWENTY PAGES

Plaintiff, Massachusetts Institute of Technology (“MIT”) and Defendant, Harman International Industries, Inc. (“Harman”), submit this joint motion requesting that the Court amend this Court’s Scheduling Order, pursuant to the agreed proposed schedule set forth below. The parties also request that the Court grant the parties leave to file *Markman* briefs that exceed twenty pages. Counsel for the parties conferred on March 6, 2007, and thereafter.

1. Joint Proposed Schedule

Pursuant to the parties' Agreement, parties respectfully request this Court amend its current Scheduling Order to reflect this mutually agreed proposed schedule, which follows.

ACTIVITY	CURRENT DEADLINE	PROPOSED DEADLINE
OPENING <i>MARKMAN</i> BRIEFS	March 23, 2007	March 30, 2007
RESPONSE <i>MARKMAN</i> BRIEFS	April 6, 2007	April 13, 2007
<i>MARKMAN</i> HEARING	None	To be determined by the Court

The parties have agreed to postpone expert depositions and summary judgment motions requiring claim construction until after the claims have been construed by the Court. This motion is not intended to set any deadlines for any other motions other than those set forth in the schedule above. The parties agree that the proposed process will streamline the *Markman* briefing, minimize duplication, and avoid placing unnecessary burdens on the Court.

2. Request for Leave to Exceed Twenty Pages

As required under Local Rule 7.1, the parties have exercised substantial diligence to narrow the issues for the Court and, as a result of extended discussions, only recently finalized agreement on what terms will be submitted to the Court for the construction. Because this is the first instance of any technical briefing in this case, the parties believe the additional pages will allow them to adequately brief the court on the technical issues and factual background, as well as to recite the necessary claims and case law at issue.

Therefore, the parties request that the page limits for the opening *Markman* briefs be set at fifty pages (50) for each party.

Respectfully submitted,

Massachusetts Institute of Technology,

By its attorneys,

/s/ Steven M. Bauer

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Respectfully submitted,

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Dated: March 23, 2007

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing and paper copies will be sent to those indicated as non-registered participants on March 23, 2007.

/s/ Courtney A. Clark

Courtney A. Clark